

RECEIVED  
CENTRAL FAX CENTER

JUL 21 2008

**FAX TRANSMISSION****DATE:** July 21, 2008**PTO IDENTIFIER:** Application Number 10/554,038-Conf. #8321  
Patent Number**Inventor:** Luciano Adorini et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP  
Dwight D. Kim, Ph.D.**PHONE:** (617) 517-5588**Attorney Dkt. #:** 59756CON(49949)**PAGES (Including Cover Sheet):** 19**CONTENTS:**  
Fee Transmittal (1 page)  
Combined Declaration and Power of Attorney (8 pages)  
Part 2 Copy of Notice (2 pages)  
Response to Notice to File Missing Parts of Application (1 page)  
Request for Corrected Filing Receipt (1 page)  
Official Filing Receipt (3 pages)  
Transmittal (1 page)  
Charge \$65.00 to deposit account 04-1105  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 517-5588 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**EDWARDS ANGELL PALMER & DODGE LLP**  
P.O. Box 55874, Boston, Massachusetts 02205  
Telephone: (617) 239-0100 Facsimile: (617) 227-4420

NO. 8339 P. 2

**JUL 21 2008**

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/554,038

Attorney Docket No.: 59756CON(49949)

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on July 21, 2008  
Date

Shayla N. Bernstein  
Signature

**Signature**

**Shayla N. Bernstein**

Shayla N. Bernstein  
Typed or printed name of person signing Certificate

(617) 239-0638

Telephone Number

Registration Number, if applicable

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

**Fax Cover Sheet (1 page)**  
**Fee Transmittal (1 page)**  
**Combined Declaration and Power of Attorney (8 pages)**  
**Part 2 Copy of Notice (2 pages)**  
**Response to Notice to File Missing Parts of Application (1 page)**  
**Request for Corrected Filing Receipt (1 page)**  
**Official Filing Receipt (3 pages)**  
**Transmittal (1 page)**  
**Charge \$65.00 to deposit account 04-1105**

JUL 21 2008 3:27PM

RECEIVED  
CENTRAL FAX CENTER

NO. 8339 P. 3

JUL 21 2008

PTO/SB/17 (10-07)

Approved for use through 08/30/2010. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2008</b>		<b>Complete if Known</b> Application Number 10/554,038-Conf. #8321 Filing Date October 19, 2005 First Named Inventor Luciano Adorini Examiner Name Not Yet Assigned Art Unit 1614 Attorney Docket No. 59756CON(49949)	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) 65.00			

## METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify):
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 04-1105		Deposit Account Name: Edwards Angell Palmer & Dodge LLP		
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.18 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.			

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
HP = highest number of independent claims paid for, if greater than 3.			

## Multiple Dependent Claims

Fee (\$)	Fee Paid (\$)
----------	---------------

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50 =	(round up to a whole number) x		

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration

65.00

SUBMITTED BY		Registration No. 57,665	Telephone (617) 517-5588
Signature		(Attorney/Agent)	Date July 21, 2008
Name (Print/Type)	Dwight D. Kim, Ph.D.		

BOS2 685168.1

JUL 21 2008 3:27PM

RECEIVED  
CENTRAL FAX CENTER NO. 8339 P. 4

JUL 21 2008

PTO/SB/21 (01-08)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

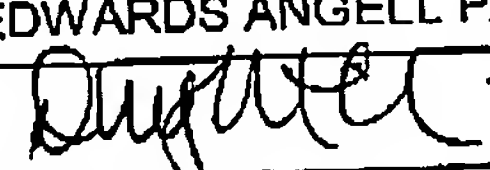
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after Initial filing)	Application Number	10/554,038-Conf. #8321
	Filing Date	October 19, 2005
	First Named Inventor	Luciano Adorini
	Art Unit	1614
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	59756CON(49949)
Total Number of Pages in This Submission		

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Part 2 Copy of Notice Declaration and Power of Attorney Request for Corrected Filing Receipt Official Filing Receipt
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature			
Printed name	Dwight D. Kim, Ph.D.		
Date	July 21, 2008	Reg. No.	57,665

BOS2 685169.1

Application No.: 10/554,038

1

Docket No.: 59756CON(49949)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

JUL 21 2008

In re Patent Application of:  
Luciano Adorini et al.

Application No.: 10/554,038

Confirmation No.: 8321

Filed: October 19, 2005

Art Unit: 1614

For: GEMINI VITAMIN D3 COMPOUNDS AND  
METHODS OF USE THEREOF

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATIONMS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

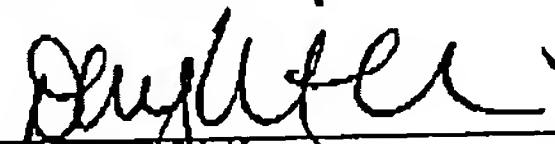
Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed June 27, 2008, Applicant respectfully submits a Combined Declaration and Power of Attorney, Request for Corrected Filing Receipt and Part 2 Copy of Notice.

Please charge our Deposit Account No. 04-1105 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 59756CON(49949). A duplicate copy of this paper is enclosed.

Dated: July 21, 2008

Respectfully submitted,

By 

Dwight D. Kim, Ph.D.

Registration No.: 57,665

EDWARDS ANGELL PALMER &amp; DODGE LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 517-5588

Attorneys/Agents For Applicant

BOS2 685170.1

07/22/2008 PCHOMP 00000038 041105 10554038  
01 FC:2051 65.00 DA

JUL 21 2008 3:30PM

NO. 8339 P. 18

RECEIVED  
CENTRAL FAX CENTER

JUL 21 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER*	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/554,038	10/19/2005	Luciano Adorini	59756DIV1(49949)

CONFIRMATION NO. 8321

FORMALITIES LETTER

21874  
EDWARDS ANGELL PALMER & DODGE LLP  
P.O. BOX 55874  
BOSTON, MA 02205



Date Mailed: 06/27/2008

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*



Replies should be mailed to:

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/nhnguyen/

---

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101